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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/886,748	06/21/2001	Shoichi Matsuo	JP920000121US1	5920

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EXAMINER

GUILL, RUSSELL L

ART UNIT PAPER NUMBER

2123

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/886,748

Applicant(s)

MATSUO, SHOICHI

Examiner

Russell L. Guill

Art Unit

2123

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/21/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
1 page
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1.0 Claims 1 – 23 have been examined. Claims 1 – 23 have been rejected.

Priority

2.0 Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in Application No. 09/886748, filed on 6/21/2001.

Claim Rejections - 35 USC § 112

3.0 The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4.0 **Claims 1, 5, 18, 20, 22 and 23** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The following claim language, “*shadow property*”, contained in **Claims 1, 5, 18, 20, 22 and 23**, is unclear, and the Examiner is confused as to what the exact “*metes and bounds*” are of this limitation.

MPEP 2173.02 clearly states...

The examiner's focus during examination of claims for compliance with the requirement for definiteness of 35 U.S.C. 112, second paragraph, is whether the claim meets the threshold requirements of **clarity and precision**, not whether more suitable language or modes of expression are available. When the examiner is satisfied that patentable subject matter is disclosed, and it is apparent to the examiner that the claims are directed to such patentable subject matter, he or she should allow claims which define the patentable subject matter with a reasonable degree of particularity and distinctness.

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The Examiner respectfully submits that the current claim language lacks clarity and precision as regards the claim limitation, "*shadow property*".

Clarification and /or amendment are required.

5.0 Claims 2, 3, 6, 7, 10, 11, 14, and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The following claim language, "*influence area*", contained in **Claims 2, 3, 6, 7, 10, 11, 14, and 15**, is unclear, and the Examiner is confused as to what the exact "*metes and bounds*" are of this limitation. The Examiner respectfully submits that the current claim language lacks clarity and precision as regards the claim limitation, "*influence area*". Clarification and /or amendment are required.

6.0 Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In the phrase "*associating a plurality of said components*", the term "*said components*" lacks antecedent basis. Also, in the phrase "*that associates said components*", the term "*said components*" lacks antecedent basis. Clarification and / or amendment are required. For the purpose of claim interpretation, the first occurrence of "*said components*" is interpreted as "*components*".

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7.0 Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In the phrase “*in the step of associating said components*”, the term “*said components*” lacks antecedent basis. Also, the phrase renders it unclear as to which component is a parent component for the purpose of inheriting attributes. Clarification and / or amendment are required. For the purpose of claim interpretation, the first occurrence of “*said components*” is interpreted as “*components*”. Also, for the purpose of claim interpretation, both the phrase “*or in the step of associating said components*” and the phrase “*that is generated or associated*” are deleted.

8.0 Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In the phrase “*attribute data of said component*”, the term “*said component*” lacks antecedent basis. Also, in the phrase, “*moving or changing said component, such that said component is included in any other component or said component is superposed*”, the term “*said component*” lacks antecedent basis. Clarification and / or amendment are required. For the purpose of claim interpretation, the first “*said component*” is interpreted as “*a component*”.

9.0 Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In the phrase “*generating*

said component or the means of associating a plurality of said components further comprising, if all or part of said component that is generated or associated, is included within an influence area of any other component, then a part of attribute data of said component, the term "*said component*" lacks antecedent basis. Clarification and / or amendment are required. For the purpose of claim interpretation, the first "*said component*" is interpreted as "*a component*".

10.0 Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase "*associating a plurality of said components*", renders it unclear as to which component is a parent component for the purpose of inheriting attributes. Also, the phrase "*said component that is generated or associated*", renders it unclear as to which component is a parent component for the purpose of inheriting attributes. Clarification and / or amendment are required. Also, for the purpose of claim interpretation, both the phrase "*or the means of associating a plurality of said components*" and the phrase "*that is generated or associated*" are deleted.

11.0 Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In the phrase "*in the step of associating components, if all or part of said component that is generated or associated*", it unclear as to which component is a parent component for the

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purpose of inheriting attributes. Clarification and / or amendment are required. For the purpose of claim interpretation, both the phrase "*or in the step of associating components*" and the phrase "*that is generated or associated*" are deleted.

12.0 Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In the phrase "*generation said component, generating default data as a part of attribute data of said component, wherein said default data includes an influence area of said component and a reference point of said component*", the term "*said component*" lacks antecedent basis. Also, in the phrase "*changing said component, such that said component is included in any other component or said component is superposed on any other component*", the term "*said component*" lacks antecedent basis. Clarification and / or amendment are required. For the purpose of claim interpretation, the first "*said component*" is interpreted as "*a component*".

13.0 Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In the phrase "*generating said component or the means of associating a plurality of said components further comprising, if all or part of said component that is generated or associated, is included within an influence area of any other component, then a*

part of attribute data of said component, the term "said component" lacks antecedent basis. Clarification and / or amendment are required. For the purpose of claim interpretation, the first "*said component*" is interpreted as "*a component*".

14.0 Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In the phrase "*generating said component or the means of associating a plurality of said components further comprising, if all or part of said component that is generated or associated, is included within an influence area of any other component, then a part of attribute data of said component*", it unclear as to which component is a parent component for the purpose of inheriting attributes. Clarification and / or amendment are required. Also, for the purpose of claim interpretation, both the phrase "*or the means of associating a plurality of said components*" and the phrase "*that is generated or associated*" are deleted.

15.0 Claim 16 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In the phrase "*said component*", the term "said component" lacks antecedent basis. Clarification and / or amendment are required. For the purpose of claim interpretation, the first occurrence of "*said component*" is interpreted as "*a component*".

16.0 Claims 1, 9, 21 and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The following claim language, "*said component be included in any other component or*", contained is unclear, and the Examiner is confused as to what the exact "*metes and bounds*" are of this limitation. Clarification and / or amendment are required. For the purpose of claim examination, the phrase is interpreted as "*said component*".

17.0 Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The following claim language, "*said component is included in any other component or*", contained is unclear, and the Examiner is confused as to what the exact "*metes and bounds*" are of this limitation. Clarification and / or amendment are required. For the purpose of claim examination, the phrase is interpreted as "*said component*".

Claim Interpretation

18.0 The Applicant's claim language has been given the broadest reasonable interpretation for the purposes of Examination.

The term "*shadow property*" has been interpreted to mean a "*stub*" in a configuration file template to be used as a placeholder for data to be written to at a later time.

The term "*influence area*" has been interpreted to mean an area surrounding the perimeter of a first graphic object wherein any second graphic object that is placed within that area is automatically linked in a parent/child relationship to the first graphic object as a child.

Claim Rejections - 35 USC § 103

19.0 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for

determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

20.0 Independent Claims 1, 5, 9, 13, 17, 19, 21, 22 and 23 and dependent claims 4, 8, 12, 16, 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter et al. U.S. Patent 6,161,176 in view of Lewis et al. U.S. Patent 5,872,928.

As regards independent **Claims 1, 5, 9, 13, 17, 19, 21, 22 and 23, and dependent claims 4, 8, 12, 16, 18 and 20**, the *Hunter et al.* reference discloses,

“Associating a plurality of said components by having said component be included in any other component...a connecting line that generates a connecting line that associates said components...”

The Examiner asserts that the preamble of Applicant's independent claims in combination with the preceding claim language is functionally equivalent to the modeling in software of the functionality and interdependence of a computer system with a plurality of components as disclosed in **(Figure 1, specifically, items 46, 32, 33, 34, 48)**, further, it would be obvious that any system configuration method would model the plurality of components in the system. Further, the *Hunter et al.* reference discloses, a template file **(Figure 2 item 70)**, a configuration file **(Figure 2 item 72)**, and *automatically generating a configuration file of said system from said attribute data and a configuration file template, (Col. 2 lines 58-64)*, wherein, the settings

files as disclosed is functionally equivalent to the generated configuration file.

Further, where in the Applicant claims, *“expanding a macro function included in said configuration file template recursively, and replacing a property specified in said macro function with a property specific to said system.”* The Examiner notes that the *Hunter et al.* reference discloses, **(Col. 2 Lines 37-57)**, wherein the *“software module”* is performing the action of, *“expanding a macro”* or *“parsing”* the template file or *“default template file”* recursively, note the section discussing *“accessing various locations”* the Examiner notes that traversing file trees is a recursive process and is known in the art as disclosed in the cited section of the *Hunter et al.* reference.

However, the *Hunter et al.* reference does not expressly disclose a GUI (graphical user interface).

The *Lewis et al.* reference discloses a GUI, used for configuration of a system with multiple components **(Figures 2 & 6)**.

Further, regarding **dependent claims 4 and 8**, it is obvious in the process of configuring a system to include a product version as a parameter, and select a configuration file template that matches the product version.

Further, regarding **dependent claims 12 and 16**, it is obvious that inputting and displaying properties is restricted to those properties that can be associated with a component.

It would have been obvious, to one of ordinary skill in the art, at the time the invention was made, to have combined the system configuration teachings of the *Hunter et al.* reference with the GUI methods of the *Lewis et al.* reference because, the ease of use of a GUI combined with the visual metaphors provided by the same GUI provide a system configuration environment that is easy to use and efficient.

21.0 *Dependent Claims 2, 6, 10, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hunter et al. U.S. Patent 6,161,176** and **Lewis et al. U.S. Patent 5,872,928**, in view of **Berteig et al. U.S. Patent 5,956,031**, further in view of **Bier et al. U.S. Patent 5,581,670**.*

Claim 2 is a dependent claim of **claim 1** and thereby inherits all of the rejected limitations of **claim 1**.

Claim 6 is a dependent claim of **claim 5** and thereby inherits all of the rejected limitations of **claim 5**.

Claim 10 is a dependent claim of **claim 9** and thereby inherits all of the rejected limitations of **claim 9**.

Claim 14 is a dependent claim of **claim 13** and thereby inherits all of the rejected limitations of **claim 13**.

The *Hunter et al.* reference does not expressly disclose inputting default attribute data.

Further, the *Hunter et al.* reference does not expressly disclose associating a component within an influence area of any other component, and inheriting attribute data from the component.

Berteig et al. discloses inputting default attribute data for a component (**figure 4A, and column 2, lines 37 – 60**). It would have been obvious to the artisan of ordinary skill in the art at the time of invention to include default data for a component, including an influence area and reference point since it was known in the art to provide default attribute data for all attributes of a component.

Bier et al. discloses associating a component within an influence area of any other component, and inheriting attribute data from the component (**figure 34A, 34B, 34C, and column 29, lines 29 – 67, and column 30, lines 1 – 16**).

An ordinary artisan would have been motivated to search related computer GUI art for methods of inputting data, associating components, and inheriting data in order to obtain the benefit of prior art methods in designing a GUI.

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time of invention to have combined the art of *Berteig et al.* and *Bier et al.* with the art of *Hunter et al.* for the benefit of obtaining the claimed invention.

22.0 *Dependent Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter et al. U.S. Patent 6,161,176 and Lewis et al. U.S. Patent 5,872,928, and Berteig et al. U.S. Patent 5,956,031, and Bier et al. U.S. Patent 5,581,670.*

Claim 3 is a dependent claim of **claim 2** and thereby inherits all of the rejected limitations of **claim 2**.

Claim 7 is a dependent claim of **claim 6** and thereby inherits all of the rejected limitations of **claim 6**.

Bier et al. discloses associating a component within an influence area of any other component, and inheriting attribute data from the component (**figure 34A, 34B, 34C, and column 29, lines 29 – 67, and column 30, lines 1 – 16**).

23.0 *Dependent Claims 11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter et al. U.S. Patent 6,161,176 and Lewis et al. U.S. Patent 5,872,928, in view of Bier et al. U.S. Patent 5,581,670.*

Claim 11 is a dependent claim of **claim 9** and thereby inherits all of the rejected limitations of **claim 9**.

Claim 15 is a dependent claim of **claim 13** and thereby inherits all of the rejected limitations of **claim 13**.

Hunter et al. does not specifically disclose associating a component within an influence area of any other component, and inheriting attribute data from the component.

Bier et al. discloses associating a component within an influence area of any other component, and inheriting attribute data from the component (**figure 34A, 34B, 34C, and column 29, lines 29 – 67, and column 30, lines 1 – 16**).

An ordinary artisan would have been motivated to search related computer GUI art for methods of associating components and inheriting data in order to obtain the benefit of prior art methods in designing a GUI.

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time of invention to have combined the art of *Berteig et al.* and *Bier et al.* with the art of *Hunter et al.* for the benefit of obtaining the claimed invention.

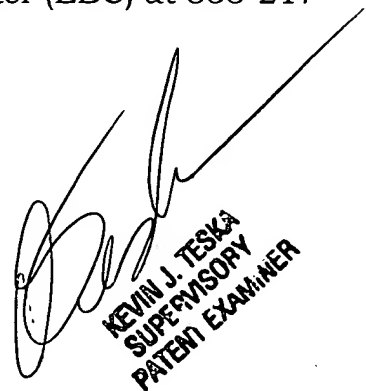
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Russell L. Guill whose telephone number is 571-272-7955. The examiner can normally be reached on Monday – Friday 9:00 – 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Teska can be reached on 571-272-3716. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RLG



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